Tells the Facts and Names the Names

CounterPunch

DECEMBER 1, 1995 | *Ken Silverstein & Alexander Cockburn* | VOL. 2, NO. 21

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The "Reinvention" Racket

Anatomy of a Mantra

Nothing better evokes the flavor of the Clinton era than one of its prime mantras, "Reinventing government". That neo-liberal war cry turns out in practice to mean removal of any impediment to the smooth transition of public money into corporate pockets and the kicking aside of every hindrance to corporate self-aggrandizement. Consider the consequences – physically lethal or maiming for many workers – of the attempted "reinvention" of OSHA, the Occupational Safety and Health Administration.

Since Nixon signed OSHA into law in 1970, enforcement has steadily declined. Over 200,000 American workers have lost their lives through the quarter century; nearly two million have been permanently disabled and well over two million workers died from diseases incurred from workplace conditions. In the same period only a handful of employers have been prosecuted and just one, a builder in South Dakota, sent to jail (for 45 days).

OSHA has but 2,000 inspectors to monitor six million businesses nationwide. In 1991, 25 workers died during a fire at a poultry plant in Hamlet, North Carolina – which although rife with violations had been ignored by OSHA inspectors for eleven years. Imperial Food Products, the plant's owner, got nicked with a $808,150 fine, or $32,326 per life.

Casualty graphs climbed sharply in recent years. Repetitive motion injuries are soaring, up from 22,600 cases in 1982 to 302,000 for 1993. Some 6,000 Americans die on the job every year, a rate approaching 20 a day.

Working hand in hand with business groups, Republicans in Congress seek to weaken OSHA even further. Under legislation now being debated, the agency would suffer painful budget cuts. Workers would henceforth have to check with their employer before filing a safety complaint with OSHA, and the federal agency would be banned from collecting data or enforcing rules on repetitive strain injuries. (In 1992, under Dorothy Strunk, OSHA issued proposed guidelines to combat repetitive strain injuries. Strunk now works at United Parcel Service, where her job is to help kill those same guidelines.)

Last May, President Clinton gave a speech in which he decried Republican attacks on OSHA. He emotionally recalled the fire in North Carolina, and said that no one "should have to endanger their personal health or their very lives to make a living for their families, to live a life of dignity".

Such lofty sentiments are nowhere visible in OSHA's experiment in reinvention in Georgia, where we have secured details of an outrageous program in which OSHA signed a sweetheart deal with 21 poultry plants which were all but exempted from inspections. According to Richard Trottier of the North Carolina Committee on Occupational Safety and Health, a watchdog group for the south-east region, "The partnership agreement cuts into any type of effort to make the poultry industry more responsive to its workers."

Some 25,000 of these workers, a majority of them black women, toil in Georgia's poultry factories. Nationwide, there are almost as many poultry workers – 222,000 – as steelworkers. According to Labor Department records, poultry work is the twelfth most dangerous job in America. A national injury rate of 23.2

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per cent – far worse than the rate in coal mining, construction or autowork – means that each year roughly one-quarter of all workers – 55,000 people – suffer a serious job-related injury.

During the past two decades, government regulators have allowed poultry companies to sped up their processing lines from 50 to 90 birds per minute. Workers – whose job titles include liver pullers, gizzard cutters, thigh bone poppers and lung gunners – do the same task over and over, up to 78 hand motions per minute for some jobs, leading to an enormous increase in carpal tunnel syndrome.

On average, the workers get just $7 per hour and receive few benefits, even though they underpin a highly profitable industry. The companies that dominate the field, including the big three – Tyson Foods, ConAgra, and Gold Kist – are savagely anti-union. Tony Hurwitz of *The Wall Street Journal* wrote a chilling story last January about life at the poultry plant, saying that work was "subject to Orwellian control and electronic surveillance". He found cases of workers who urinated on themselves because they were not allowed to leave the line without permission from a supervisor.

As through the whole south, where the industry is centered, OSHA's efforts in Georgia have been marginal. The agency has four inspectors to patrol the entire state, with only two firms receiving wall-to-wall inspections during the past three years. In a rare case of enforcement, a Cargill plant in Buena Vista, Georgia, was fined $242,000 in 1989 for "knowingly and willfully" inflicting injury on half of its work force.

Given this record, one might expect OSHA to have adopted a rather tough stance towards Georgia poultry companies. Instead, the agency's Atlanta East office decided that the carrot, not the stick, was called for.

The result was a contract between the Atlanta office and a "Poultry Steering Committee" representing 21 Georgia plants. Among the firms taking part were Tyson Foods, ConAgra, GoldKist, Seaboard Farms, Wayne Farms, and Columbia Farms (which owns a plant in neighboring South Carolina where a worker was killed recently).

The "Mission Statement" of the Committee, printed at the top of the contract, reads: "To foster a partnership between OSHA and the poultry industry and it's [sic] employees where through trust, cooperation, commitment and process improvement we will reduce injuries and illnesses in the workplace." The better to approach this worthy goal, OSHA agreed to "defer participating Employers from planned scheduled inspections" if they were able to show, using their own records, that injury rates were dropping at their plants. Results, apparently not subject to verification by OSHA, are to be simply phoned in to the agency.

Noteworthy in this deal is its remarkable similarity to a Reagan-era OSHA program which was halted because companies, free from fear of outside inspection, systematically under-reported injuries. Among the worst abusers was the poultry industry. While OSHA doctors found 90 per cent of employees at risk of repetitive motion injuries at the Buena Vista plant, records kept by Cargill at that time showed only three cases.

The Clinton-era deal between OSHA and the poultry plants was negotiated behind the backs of workers and unions, which, led by the United Food and Commercial Workers Union, represent about 25 per cent of industry employees. The reinventors set up monthly meetings between OSHA and the companies. Workers were not encouraged to attend, and the contract does not call for addressing problems related to carpal tunnel syndrome.

In another amiable gesture to chicken magnates, OSHA sent employers a scorecard to rank OSHA's own compliance officers on a scale of one ("very unsatisfactory") to five ("very high") on "their willingness to be cooperative". So inspector know that their bosses will be reviewing "unsatisfactory" ratings if they raise bothersome issues with the companies.

Amid harsh criticism from unions, OSHA officials have promised to take another look at their poultry program and have hinted that they will drop the clause exempting companies from inspections. But the October 31 issue of *OSHA Update*, an internal publication, found Deputy Secretary of Labor Thomas Glynn praising the Atlanta East office for its "efforts in this successful program".

Even if the Georgia program is killed, other OSHA "reinvention" initiatives will have similarly bleak consequences for workers' safety. A number of experiments are already underway across the country.

The Clinton team has called OSHA's "Maine 200" initiative, born during the Bush years, its model for the nation. Like the Georgia poultry program, Maine 200 grants broad exemptions to companies that agree to participate in safety programs and downplays enforcement.

Clinton claims that workers' comp and injury rates have fallen in Maine since the initiative began, but the highly suspect statistics cited by the administration were provided by companies and have not been independently verified. Furthermore, the glory days of Maine 200 coincided with a period during which Maine was devastating its workers' comp program and making it harder for workers to qualify for benefits.

Today we have the reinventors. Back in the age of Bush these reinventors worked for Dan Quayle in the Council on Competitiveness. ■

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Published twice monthly except August, 22 issues a year:
$40 individuals,
$100 institutions,
$25 student/low-income
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Please call or write our offices.
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A Widow's Billion vs. the World's Brainiest Mammal

What do Teresa Heinz, Senator John Kerry, former Senator Tim Wirth, John Kennedy, Jr. and *Delphinus delphis* — dolphins to you — have in common?

Start with free trade. For seven years Mexico has whined about its inability to sell its canned tuna north of the border. The US mandates dolphin-free tuna, meaning methods of fishing that don't snag dolphins as part of the tuna haul. This was one of the great green victories of the 1980s, but no sooner was NAFTA ratified than Mexico denounced the US tuna law as a restraint on free trade and demanded its repeal.

Prodded by Mickey Kantor, the chief US trade rep, the White House speedily assented but said that some national environmental organizations would have to be wheeled forth to provide political cover against assaults from the excitable dolphin lobby. Enter the Environmental Defense Fund, a fanatical espouser of free trade, vociferously pro-NAFTA in 1992 and a long-time foe of the dolphin protection laws as "ideologically unsound".

The crucial meeting to settle the dolphin's hash took place at the Mexican embassy in Washington, last July. There US and Mexican government officials hunkered down with executives from the Environmental Defense Fund, National Wildlife Federation, World Wildlife Fund and the Center for Marine Conservation. Carefully excluded were pro-dolphin groups such as Earth Island Institute, and the Humane Society. Also shut out were the congressional members and staffers who framed the 1992 law protecting the dolphin, some seven million of which perished in the eastern Pacific between 1970 and 1992.

The secret session in the Mexican embassy was not auspicious for Flipper. The conspirators agreed that the 1992 law should be overturned and new statutory language devised which would allow Mexico's dolphin-lethal tuna into US supermarkets. Staffers from the Environmental Defense Fund and World Wildlife Fund would write the bill, with help from Bud Walsh, an attorney who has labored for the Wise Use Movement.

Next came the task of selling dolphin death on the Hill. In the forefront of the lobbying was Tim Wirth, now Undersecretary of State for global environmental affairs. Wirth dispatched handwritten notes to crucial senators, urging them to sign on to the bill and promoting it as a "good package with a sound science/enviro base with Breaux and Stevens as sponsors".

Clinton assented to Flipper's demise but insisted that a few environmental groups be wheeled forth to provide political cover.

Now when it comes to environmental matters, Breaux of Louisiana and Stevens of Alaska are four-square for rape and pillage. But some were puzzled at Wirth's position on dolphin death. Earlier this year Wirth leaked to *The Washington Post* a memo he'd sent to the White House urging Clinton to stand firm against those around him counseling sell-out of the Goddess Demeter.

But there is a dark side to Wirth's environmentalism and it goes back to his days in the Senate and his friendship with Senator John Heinz, the ketchup heir, who died in a plane crash in 1991. Together, Wirth and Heinz drafted Project '88, a detailed manifesto of "free market environmentalism", encouraging replacement of federal laws and regulations with cash inducements for corporate pillagers to behave themselves.

After Senator Heinz's death, Wirth developed a romantic intimacy with Teresa Heinz. The affair did not remain secret for long and amid fears that it would be used against him in his impending 1992 re-election bid in Colorado, Wirth stood down. The widow Heinz pressed forward into romance with Senator John Kerry of Massachusetts. The tinder ignited at the Earth Summit in Rio in 1992, where they mightily impressed other junketeers such as Senator Larry Pressler by conversing in French.

Teresa Heinz, the daughter of a Portuguese doctor, was brought up as a child of empire in Mozambique, went to university in South Africa, and brought with her to the United States an ardent veneration for the capitalist system.

Becoming a member of the Heinz family added clout to Teresa's ideological views, clout in the form of a fortune variously estimated as between $670 and $740 million. This brings us to the moral crisis of Senator John Kerry. Teresa Heinz, an EDF board member, has been lobbying for the new death-to-dolphins bill. But her husband (they married in July of this year) has long been a doughty dolphin ally, possibly because this splendid mammal is not profuse on the St. George's Banks or other haunts of the Massachusetts fishing fleets.

If a last-ditch defense of the 1992 law was to be mounted, Kerry has been the man to lead it. But the Senator has new cares and burdens. When he gave up Morgan Fairchild for Teresa Heinz and joined with her in the refreshments of matrimony, Kerry was asked whether he would use his wife's fortune to stake his political races. No, said, Kerry, unless his

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opponent also used his own or his family's money.

In the last days of November, Massachusetts' Gingrich-loving libertarian governor, William Weld, announced he would challenge Kerry. Weld will be a tough opponent. Weld has also prudently called for Kerry to agree to limit spending in the race to $5 million each.

But if the race gets close, Kerry will have enormous temptation to turn to his wife for help. His zeal for the dolphin has already markedly declined. Meanwhile, Teresa has been busying lobbying the Heinz Corporation whose subsidiary, Star-Kist, is the world's largest tuna processor. Having invested millions in dolphin safe fishing fleets and having mined excellent publicity for its "dolphin-safe tuna," Star-Kist is loath to see the 1992 law changed. Nonetheless, Teresa, one of the Heinz Corporation's largest stockholder, is pressing hard for Star-Kist to reverse its stance.

The Clinton administration is trying to sneak the dolphin death bill through as a rider to the Magnuson Act, due to be voted on before the Christmas recess. As the battle enters its final stages, California's Barbara Boxer is the dolphin's last best hope.

And John Kennedy, Jr? In the first issue of *George* John-John printed an adoring profile of the Madam Defarge of the dolphin. Shimmering just below the surface of the article (entitled "Mother Teresa") was the thought that if Senator Kerry goes down, Teresa Heinz would be a worthy successor. ■

Goodling's Law: Goering Would Approve

One of the leaders of the political attack on the Occupational Safety and Health Administration is Rep. Bill Goodling of Pennsylvania, chairman of the Committee on Economic Opportunities. Goodling lashes unsparingly at OSHA and at "big government" in general. He wants to get federal bureaucrats "off the back" of business, and supports an OSHA "reform" bill which would cut back on work place inspections and reduce fines when safety violations are found.

But while insisting that government has no need to protect America's working men and women, Goodling has a different approach when it comes to horses. After reading about the inhumane treatment of horses transported for slaughter Goodling introduced a bill designed to end abuses such as horses traveling for days without food and water. "As a thoroughbred owner, I find this appalling," Goodling wrote in a "Dear Colleague" letter mustering support for his measure. "Many, including myself, consider horses to be a part of their families like a dog or cat. Can you imagine this treatment of Fido or Fluffy? I think not."

Now, **CounterPunch** strongly favors humane treatment of horses and we hereby endorse the Goodling bill. But it does seem odd that the congressman's passion for safety doesn't extend to the 6,000 humans who die every year on the job. While he favors cutting "red tape" when it comes to protecting workers, Goodling's bill calls for a series of stringent measures for horses: "vehicles would be required to be in sanitary condition and provide at least 6 feet, six inches of headroom ... be of appropriate size for the number of horses transported ... [and] provide for veterinarians to determine if horses are able to withstand the stress of transportation."

A schizophrenic posture towards animals and humans is scarcely new. In late 1933, Herman Goering announced an end to the "unbearable torture and suffering" in animal experiments and threatened to "commit to concentration camps those who still think they can continue to treat animals as inanimate property".

In 1936, a special Nazi law was passed regarding the correct way of dispatching lobsters and crabs. They were to be thrown into rapidly boiling water, thus mitigating their terminal agonies. Bureaucrats at the Nazi Ministry of the Interior were producing learned research papers on the kindest ways of killing crustaceans, even as their colleagues were starting to pore over blueprints for the gas chambers at Auschwitz, and corporate scientists at I.G. Farben were eagerly assisting in the reinvention of genocide. ■

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